

REMARKS

Claims 26-45 are pending in the present application. New claims 26-45 were added and originally presented claims 1-25 were all cancelled. No new matter was added. Withdrawal of all rejections is respectfully requested for the reasons set forth below.

Amendments to the Specification

Although not subject to any objection or rejection, Applicants have made minor amendments to the specification by the present amendment. Specifically, the specification has been amended in order to clarify that the present application claims priority to a German utility model application, not a German patent application, and to correct the format of paragraph [0016]. Applicants respectfully request entry of the proposed amendments to the specification.

Support for New Claims 26-45

As stated above, original claims 1-25 have been canceled and replaced with new claims 26-45. Representative, non-limiting support in the present application for each of the new claims 26-45 is provided as follows:

Claim 26: Original claims 1 and 2 and the specification at paragraphs [0039] and [0041] and the drawings.

Claim 27: Original claims 6 and 11.

Claims 28: Original claims 7 and 12.

Claims 29, 32 and 40: Original claims 8 and 13.

Claims 30, 33 and 41: Original claims 9 and 14.

Claims 31, 34 and 42: The specification at paragraph [0041].

Claims 35 and 43: Original claim 3.

Claims 36 and 44: Original claim 4.

Claim 37: The specification at paragraph [0041].

Claims 38 and 45: Original claims 10 and 15.

Claim 39: Original claims 1, 2, 7 and 8 and the specification at paragraph [0041].

Claim Rejections - 35 USC § 102

In the Office Action mailed September 30, 2004, claims 20 and 25 were each rejected under 35 U.S.C. § 102(b) as being anticipated by DE 297 13 522. However, claims 20 and 25 were cancelled in the present amendment, such that the rejection of these claims is now moot. Further, new claims 26-45 are all believed to be patentable over DE 297 13 522 for at least the reasons discussed below. Therefore, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b).

Patentability of New Claims 26-45

New independent claims 26 and 39 are believed to define over DE 297 13 522 for at least the following reasons. DE 297 13 522 does not teach or even suggest “a dead center point linkage pivotably coupled to the vehicle body such that a distance between the tensioning bow and a rear portion of the dead center point linkage increases when the front portion is downwardly moving towards the windshield frame” as recited in independent claims 26 and 39.

As modifications of DE 297 13 522 to achieve the presently claimed inventions would require a change of the principle of operation of DE 297 13 522 (MPEP 2143.01), new claims 26 and 39 are therefore patentable over the cited reference. Further, as new claims 27-38 each depend from claim 26 and new claims 40-45 each depend from claim 39, and independent claims 26 and 39 are patentable over the cited reference, claims 27-38 and 40-45 should also be considered patentable over DE 297 13 522.

Conclusion

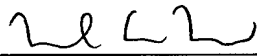
Therefore, it is respectfully submitted that all claims pending in the present Application are in condition for allowance. Reconsideration and allowance of pending claims is therefore respectfully requested.

If the Examiner believes an interview, either telephonic or in person, will advance the prosecution of this matter, it is respectfully requested that the Examiner contact the undersigned at the Examiner's convenience.

Respectfully submitted,

Sven Hollenbeck et al.

Date: December 29, 2004

By: 

Mark A. Ussai
Registration No. 42,195

Docket No.: 016382-9001

Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, WI 53202-4108
Telephone No. 610-798-2179
Fax: 610-798-2180